



CITY OF BEAVERTON
Community Development Department
Planning Division
4755 SW Griffith Drive /PO Box 4755
Beaverton, OR 97076
General Information- (503) 526-2222 V/TDD
www.BeavertonOregon.gov

Staff Report

HEARING DATE: Wednesday, July 31st, 2013

TO: Planning Commission

FROM: Jason T., Assistant Planner

PROPOSAL: **DR2013-0003 - Tajgerdu Station Store**

LOCATION: 12975 SW Canyon Road
Tax Lot 2200 on Washington County Assessor's Map 1S1-16AA

SUMMARY: New single-story, 1,073 square foot addition to the existing service station building for the purpose of operating a convenience store. Other site improvements are proposed, including landscape modifications and removal of two driveways closest to the corner of SW Cedar Hills Boulevard and SW Canyon Road. The existing service station canopy will remain and the existing gas station operations will remain unchanged.

APPLICANT: AllUSA Architecture
Attn: Bob Schatz
2118 SE Division St
Portland, OR 97202

PROPERTY OWNER: Beaverton Auto Care Service Company
Attn: Mahmoud Tajgerdu
12975 SW Canyon Road
Beaverton, OR 97005

RECOMMENDATIONS: **Approval of DR2013-0003 (Tajgerdu Station Store)** with conditions identified in this report

Vicinity Map

<Insert Exhibit – color>

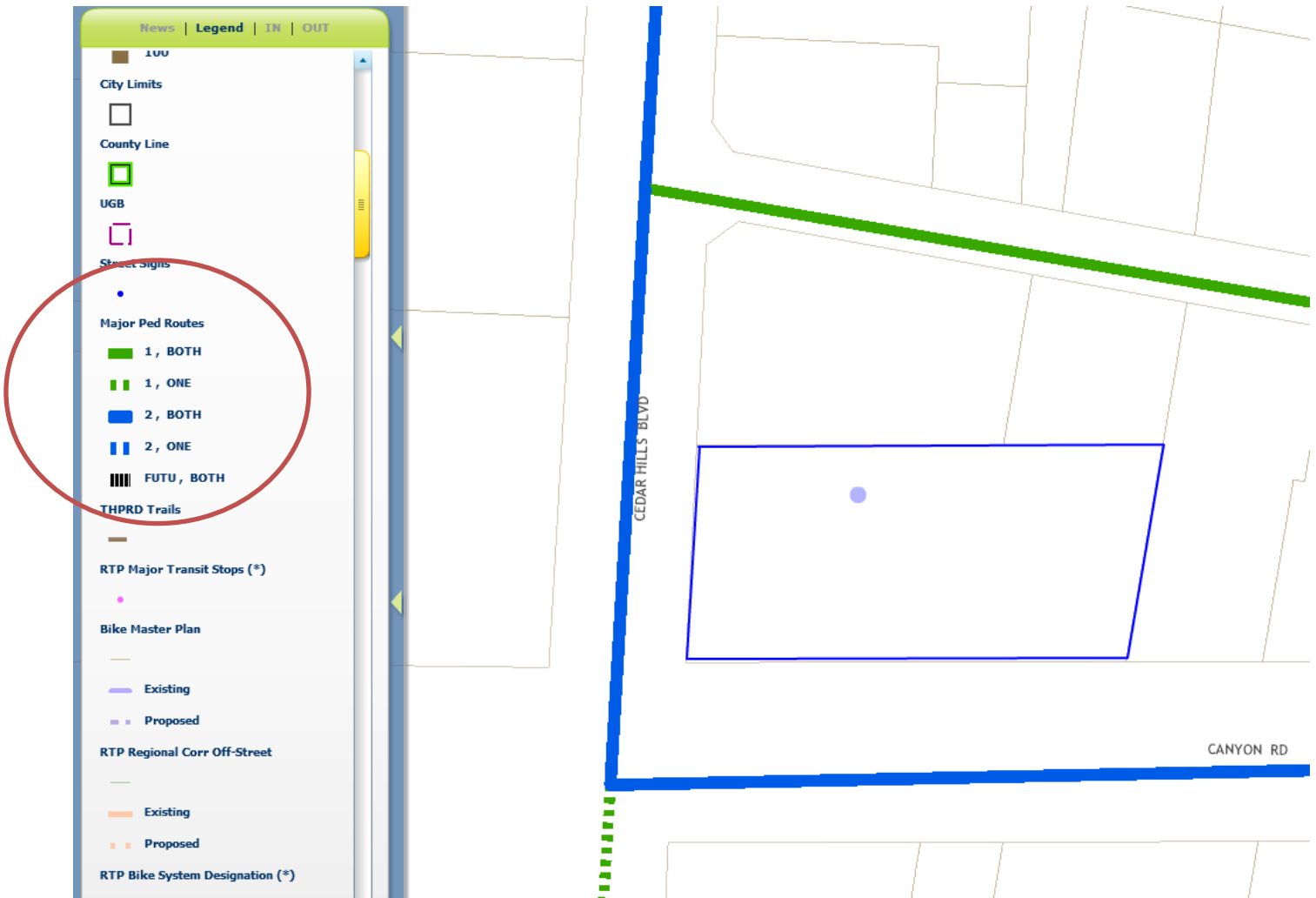
Aerial Map



Zoning Map – RC-TO



Major Pedestrian Route Map



BACKGROUND FACTS

Key Application Dates

<u>Application</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>Day 120</u>
DR2011-0064	January 10, 2013	June 7, 2013	October 24, 2013

Existing Conditions Table

Zoning	Regional Center - Transit Oriented – Multiple Use (RC-TO)	
Current Development	Gas Station	
Site Size & Location	The site is generally located at the Northeast corner of SW Canyon Road and SW Cedar Hills Boulevard and can be specifically identified as Tax Lot 2200 on Washington County Tax Assessor's Map 1S1-16AA. The total site area is approximately 18.011 square feet.	
NAC	Central Beaverton	
Surrounding Uses	<u>Zoning:</u> North: <i>Regional Center - Transit Oriented – Multiple Use</i> South: <i>Regional Center - Old Town – Multiple Use</i> East: <i>Regional Center - Transit Oriented – Multiple Use</i> West: <i>Regional Center - Transit Oriented – Multiple Use</i>	<u>Uses:</u> North: Retail South: Retail East: Retail West: Retail

Summary: The applicant proposes to construct a new single-story, 1,073 square foot addition to the existing service station building for the purpose of operating a convenience store. Other site improvements are proposed, including landscape modifications and removal of two driveways closest to the corner of SW Cedar Hills Boulevard and SW Canyon Road. The existing service station canopy will remain and no changes to the existing gas station operations remain unchanged.

The request consists of one application: Design Review 3. While a service station is a Conditional Use of the RC-TO zone, the proposed use “retail” is permitted outright.

In this case, Design Review 3 is sought because threshold No. 5 for addition to the building was identified in the pre-application conference which states:

Projects may use a Design Review Build-out Concept Plan (DRBCP), approved through a Type 3 process, to develop a site by demonstrating conceptually full compliance at build-out with the design review standards established in Section 60.05. Such projects must demonstrate in a DRBCP how future development of the site, to the minimum applicable floor area development standards contained in Chapter 20 of the Beaverton Development Code and to the minimum applicable design standards contained in Section 60.05. or greater, can be achieved at ultimate build out of the DRBCP.

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

<p>Attachment A: Facilities Review Committee Technical Review and Recommendation Report</p> <p>Attachment B: DR2013-0003 The Design Review application will review building design, parking lot design, lighting, landscaping and other associated design elements to applicable <u>guidelines</u>.</p> <p>Attachment D: Conditions of Approval If the Planning Commission approves the proposal for a convenience store addition and Parking Modifications, staff recommends the conditions identified in Attachment D of this report.</p>	<p><u>PAGE No.</u></p> <p>8 – 17</p> <p>18 – 27</p> <p>28 – 32</p>
--	---

Public Comment: Staff did not receive any public comment

Exhibit 1. Vicinity Map **2**

Exhibit 2. Aerial Photo and Zoning Map **3**

**Exhibit 3. Section 60.05.55.1 of the City Development Code
(Regional Center Major Pedestrian Route Map)** **4**

Exhibit 4. Agency Comments

Exhibit 4.1 Email from Tualatin Valley Fire and Rescue (TVF&R)
Dated April 16, 2013.

Exhibit 4.2 Email from Seth Brumley with ODOT dated
July 9, 2013.

Exhibit 5. Materials submitted by applicant

Exhibit 5.1 Applicant's Application Package

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
TAJGERDU STATION STORE
(DR2013-0003)**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Director's Decision, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the one (1) application as identified below:

- **All eleven (11) criteria are applicable to the submitted Design Review application, DR2013-0003.**

The proposal is to allow the construction of an approximately 1073 square feet building addition for retail space, along with associated parking and landscaping modifications.

- A. *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

Critical facilities and services, as defined by Chapter 90 of the Development Code, include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection.

Public water

Water service is provided by the City of Beaverton, through a 12-inch water main in the SW Canyon Road right-of-way. The available service has sufficient capacity to serve the proposed development.

Public sanitary sewer

The City of Beaverton provides sewer service through an 8-inch sewer main in the SW Canyon Road right-of-way. The available service has sufficient capacity to serve the proposed development.

Storm water drainage

The City of Beaverton provides storm water drainage to the site through a main in the SW Canyon Road right-of-way. The existing system has adequate capacity to serve the proposed development.

Transportation

A Traffic Impact Analysis (TIA), dated April 18, 2013, was submitted by Group Mackenzie. The primary findings of the TIA show:

1. Trip Generation. The proposal will add a total of 41 new trips (16 primary and 25 pass-by) during the weekday AM peak hour and a total of 51 new trips (17 primary and 34 pass-by) during the weekday PM peak hour.
2. Intersection Operations. Traffic operations at all study intersections (Cedar Hills/Canyon) and proposed site approaches will meet ODOT and City mobility standards for the weekday AM and PM peak hours.
3. Vehicle Queuing. Weekday AM and PM peak hour vehicle queues exiting from the north (consolidated access to Cedar Hills Boulevard) will reach a maximum of 50 feet (2 vehicles). Weekday PM peak hour vehicle queues exiting from the east approach to Canyon Road will reach a maximum of 75 feet (3 vehicles).
4. Site Distance. Driveway approaches meet both City and ODOT sight distance standards. The proposed driveway approach on Cedar Hills has 335 feet of intersection sight distance looking north and more than 350 feet of sight distance looking south. The driveway approach on Canyon has an intersection sight distance that exceeds 350 feet in the west and east directions.

In response to the applicant's analysis, staff finds that all transportation facilities related to the development have adequate capacity to serve the proposal. In response to A above, staff finds removal of the two driveways closest to the corner of SW Cedar Hills Boulevard and SW Canyon Road to be important for vehicle efficiency. No additional mitigation measures are recommended by staff.

Fire protection

Tualatin Valley Fire & Rescue (TVF&R) provides fire protection services for property in this area. The comments provided by TVF&R indicated that all of their requirements will be met, based on the proposed plans. TVF&R will need to sign off on the plans prior to site development or building permit issuance.

FINDING: Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- B. Essential facilities and services are available or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.*

Essential facilities and services, as defined by Chapter 90 of the Development Code, include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities.

Schools

Beaverton School District has not provided comments on this proposed development.

Transit improvements

Although the project block does not have a transit stop directly in front of the site, the nearest stop is within approximately 50-feet one. No transit improvements are proposed with this development. The existing sidewalk system will continue to provide adequate access to the nearby transit stops.

Police protection

The site will be served by the Beaverton Police Department for public safety.

On-site pedestrian and bicycle facilities

The applicant shall construct new sidewalks to match the existing widths along SW Cedar Hills Boulevard and SW Canyon Road frontages, and will replace the driveways being removed. A minimum of two short-term spaces and two long-term bicycle spaces are required and existing on site.

FINDING: Therefore, staff finds that the proposal will meet the criterion for approval.

- C. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).*

The property is zoned Regional Center—Transit Oriented (RC-TO). This zone does not have minimum parcel area or minimum lot dimension requirements. With Design Review Build-Out Concept (DRBCP) approval, the proposed structure meets the applicable maximum and minimum setback requirements when fronting a Class 2 Major Pedestrian Route along both streets. The proposed 1073 square foot building will have a Floor Area Ratio (FAR) of 0.16 which does not meet the minimum 0.45 FAR standard based in part by the dimensions identified in section 20.25.20.A. Under the provisions identified in Section 20.25.10.E, projects may use the Planned Unit Development (PUD) or the DRBCP process to develop a site in phases to achieve the minimum FAR. Section 20.25.10.E also states that the DRBCP may be used if the only Site Development Requirement being phased, altered, or otherwise varied is the minimum FAR.

The applicant's DRBCP proposal will be evaluated to the corresponding guideline in 20.25.10 by the Planning Commission. In this case, no application for Adjustment or Variance is necessary.

FINDING: Therefore, staff finds that the proposal meets the criterion for approval with approval of Design Review Three application DR2013-0003.

D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Regulations) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Regulations), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.

Design Review Requirements (Section 60.05)

Staff refers to the findings prepared in response to the applicable Design Review Standards as provided in the analysis chart herein.

Habitat-Friendly and Low Impact Development Practices (Section 60.12)

Although the site does not contain any designated Habitat Benefit Areas, it is eligible to participate in the Low Impact Development programs. These are voluntary and the applicant has not requested to use any of the potentially allowed credits.

Off-Street Parking Requirements (Section 60.30)

Within the RC-TO zone, special standards for the required number of off-street parking spaces apply. The applicant's proposal appears to meet the required number of off street parking spaces.

Sign Regulations (Section 60.40)

Any proposed signage will need to be reviewed under a separate sign permit application.

Transportation Facilities (Section 60.55)

Traffic

Please see Section A of this memo.

Street, Bicycle, and Pedestrian Connections

The proposal shows two pedestrian connections extending from Canyon Road and Cedar Hills Boulevard to the main entrance. A 10-foot wide sidewalk is proposed along the Cedar Hills frontage and a 7-foot wide sidewalk is proposed, which is increased from the existing 5-foot sidewalk along the Canyon Road frontage. As Canyon Road is designated a Major Pedestrian Route, which requires a 10-foot wide sidewalk, the sidewalk and additional right-of-way dedication needed for the sidewalk would cause encroachment within the existing fueling positions' travel way. As the existing fueling position travel-way is 12-feet wide, which is the minimum width needed for a personal vehicle traveling on-site, staff does not

recommend requiring the dedication of the additional 3-feet of right-of-way or construction of a 10-foot wide sidewalk along the Canyon Road frontage.

Existing streets are located adjacent to the site, no new street connections are proposed, and no new street connections are identified in the Beaverton Transportation System Plan.

SW Cedar Hills Boulevard and SW Canyon Road are both classified as Arterial streets. The planned design for the streets include 5-foot wide bike lanes on both sides of both streets as indicated in the Beaverton Engineering Design Manual Standard Drawings for Arterials. No bike lanes exist on SW Cedar Hills Boulevard or SW Canyon Road in the area of the proposed project. Due to the scope of the proposal, staff does not recommend reconstruction of the street frontages in order to accommodate new bike lanes. However, staff notes that a more extensive development in the future may warrant future improvements.

No additional connections are proposed or recommended by staff.

Street Width

The proposal shows right-of-way dedication on both SW Canyon Road and SW Cedar Hills Boulevard to help achieve the full planned design width for both streets. The proposal shows a total of 5-feet of right of-way dedication along SW Cedar Hills Boulevard (bringing the half street right-of-way width to 35-feet and a total of 2.5-feet of right of way dedication along SW Canyon Road (bringing the half street right of way width to 42.5-feet). In order to accommodate the full right-of-way width on Canyon an additional 3-feet of right-of-way would be necessary. However, due to the scope of the proposal, staff does not recommend additional right of way dedication along Canyon at this time. Furthermore, additional dedication along SW Canyon Road would result in a reduction to the existing 12-foot wide travel-way of two of the southernmost fueling positions and place the existing fueling canopy within the SW Canyon Road (OR Hwy 8) right-of-way.

Access

The existing site has two driveway approaches on SW Canyon Road and two driveway approaches on SW Cedar Hills Boulevard. The proposal shows the closure of the two existing approaches that are closest to the SW Cedar Hills Boulevard/SW Canyon Road intersection, and the relocation of the northern most access on SW Cedar Hills Boulevard to accommodate the location of proposed parking and an existing propane refueling tank. The existing easternmost access on SW Canyon Road is proposed to remain unchanged. The proposal shows that the closed approaches will be replaced with sidewalk and curb.

As a courtesy ODOT staff conducted a site visit and provided City staff with traffic turn movement diagrams to demonstrate the typical ingress and egress movements that presently occur at the site approaches. The turn movement diagrams provide evidence that supports the applicant's proposal to close the driveway approaches nearest the SW Cedar Hills Boulevard/SW Canyon Road intersection. The diagrams show that approaches nearest the SW Cedar Hills Boulevard/SW Canyon Road intersection are used infrequently, and when the approaches are used,

awkward and unsafe turn movements occur across travel lanes and through the intersection.

Staff supports the applicant's proposal to close the two approaches nearest the SW Cedar Hills Boulevard/SW Canyon Road intersection (one on SW Canyon Road and one on SW Cedar Hills Boulevard) as the closure will improve safety by reducing turn movements into the right turn lane on SW Canyon Road, reduce impediments to traffic flow by eliminating vehicle conflicts near the intersection, and bring the site closer to conformance with existing City and ODOT access spacing standards. Furthermore, staff supports the relocation of the driveway on SW Cedar Hills Boulevard. In this case the new driveway for SW Cedar Hills Boulevard will be located at the furthest distance practical from the intersection. However staff recommends that on SW Cedar Hills Boulevard the proposed driveway width does not exceed 24-feet in order to ensure the driveway is located as far from the intersection as practical while still being able to accommodate vehicle/truck egress/ingress. This means that the proposed driveway on SW Cedar Hills Boulevard shall be located a minimum distance of 41-feet from the curb line of SW Canyon Road.

Transit

TriMet's No. 57 bus route currently serves this site, with a stop located approximately 50-feet east of the site on SW Canyon Road. No additional transit facilities are proposed or recommended by staff.

Trees and Vegetation Requirements (Section 60.60)

There are no protected trees on the site. There are not more than four Community or Landscape Trees proposed for removal from the site. New street trees will be planted to meet the applicable requirements.

Utility Undergrounding (Section 60.65)

All of the utilities that will serve the site will be placed underground to comply with the standards.

FINDING: Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- E. *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities, not subject to periodic maintenance by the City or other public agency;*

The applicant has stated that all new and existing facilities on the site will be maintained by the applicant.

FINDING: Therefore, staff finds that the criterion for approval is met.

- F. *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.*

The proposal includes on-site truck turning diagrams which demonstrate that fuel trucks can efficiently and safely enter, circulate, and exit the site. All the fueling positions have a minimum 12-foot width which is adequate for personal vehicle access and circulation. The proposed on-site pedestrian walkways are constructed of scored concrete which provides visual differentiation from the existing asphalt on-site and makes drivers more aware of the presence of pedestrians.

FINDING: Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- G. *The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.*

The applicant's proposed pedestrian connections to the surrounding sidewalk system provide adequate connections to the surrounding public facilities. The proposed closure of the two driveways nearest to the intersection of SW Canyon Road and SW Cedar Hills Boulevard will improve the safety of both pedestrian and vehicular circulation.

FINDING: Therefore, find that the criterion for approval is met.

- H. *Structures and public facilities and services serving the development are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.*

Tualatin Valley Fire Department has reviewed this proposal and has not expressed concern with the existing and proposed fire protection facilities. The applicant has stated that the proposed structure will meet all requirements.

FINDING: Therefore, staff finds that by satisfying the conditions of approval, the proposal meets the criterion for approval.

- I. *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.*

The conditions of approval stated at the end of this document, provide requirements of the applicant to obtain a Site Development and Building Permit through the City and will ensure that structures and public facilities will be designed and built in according to the applicable codes and standards.

FINDING: Therefore, staff finds that by satisfying the conditions of approval, the proposal meets the criterion for approval.

- J. *Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

Minimal grading is proposed. Site grading of the proposed building will satisfy the requirements per condition of approval from Site Development.

FINDING: Therefore, staff finds that by satisfying the conditions of approval with the issuance of a Site Development permit, the proposal meets the criterion for approval.

- K. *Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.*

Staff refers to the findings as previously stated under section F above.

FINDING: Therefore, staff finds that by satisfying the conditions of approval, the proposal meets the criterion for approval.

- L. *The proposal contains all required submittal materials as specified in Section 50.25.1 of the Development Code.*

The applicant has supplied all applicable submittal requirements, as specified in Section 50.25.1 of the Development Code.

FINDING: Therefore, staff finds that the proposal meets the criterion for approval.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Regional Center – Transit Oriented Multiple Use District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Sections 20.20.50			
Permitted and Conditional Uses	Minor Automotive Service is a conditional use. Retail is a permitted use.	Retail convenience store	Yes, existing fuel facilities are not being altered
Minimum/ Maximum Lot Area	None	New lots not proposed & no change to existing lot size	Yes
Minimum Lot Dimensions	None	No proposed change to lot dimensions	Yes
Yard Setbacks	Max. Front MPR: Governed by Design Standard in 60.05.15.6 Subject to DR-3 and review of the Design <u>Guideline</u> if not met. Design Standard identifies max of 20' Sides: None Rear: None	Front is 62.75-feet, Side 62-feet/35-feet Rear is Zero-feet. Additional where proposed does not bring the building in compliance with standards.	No
Maximum Building Height	120 feet	17 feet	Yes
Required Minimum Density	Minimum density requirements for new residential development	Not applicable, no new dwelling units are proposed.	N/A

Chapter 60 – Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.07			
Drive-through window standards	Standards 1 through 8	Definition of Drive-up Window Facilities <u>exempts</u> auto service stations.	N/A
Development Code Section 60.10			
Floodplain	Regulations for properties in floodplain/ way	The finished floor of the proposed convenience store is shown above the flood plain.	Yes
Development Code Section 60.30			
Minimum Off-Street Vehicular Parking Spaces	Fuel service is not specified under 60.30.10.5. However, Retail is 3 per 1,000 sq. ft. floor area.	Parking (new and re-stripe) meet minimum number of 9 spaces under section 60.30.10.5	Yes
Minimum Off-Street Bicycle Parking: Long and Short Term	For Short & Long Term, <i>Minor Auto Service</i> requires 2 spaces / 5,000 square feet. For <i>Retail</i> , requires 2 long term and 2 short term spaces	New bicycle parking meet the minimum of 2 long term and 2 short term spaces. Fueling facilities have no floor area proposal for this type of Minor Auto Service.	Yes
Development Code Section 60.55			
Transportation Facilities	Regulations for transportation facilities	Refer to Facilities Review Committee findings for site access and on-site circulation. Applicant has submitted transportation findings.	Yes
Development Code Section 60.60			
Tree & Vegetation Regulations. No Significant Trees to this site	Preservation Standards for “protected” trees.	There are currently no significant trees on this site. New trees and landscaping are shown on the landscape plan.	Yes
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing street frontage to be undergrounded.	The applicant proposes that all utilities to serve the site are underground.	Yes- with COA

DR2013-0003
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW APPROVAL

Section 40.20.05 Design Review Applications; Purpose

The purpose of Design Review is to encourage originality, flexibility, and innovation in development, site planning, buildings, structures, and landscaping. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by insuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development. This Section is carried out by the approval criteria listed herein.

Section 40.20.15.3.C Design Review Three Approval Criteria

In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. *The proposal satisfies the threshold requirements for a Design Review Three application.***

Based on project size, the proposal would qualify for Design Review Two if: 1) the project were able to show compliance with all applicable standards.

In this case, the applicable thresholds for Design Review Three are number five and eight.

Threshold No. 5. Projects may use a Design Review Build-out Concept Plan (DRBCP), approved through a Type 3 process, to develop a site by demonstrating conceptually full compliance at build-out with the design review standards established in Section 60.05. Such projects must demonstrate in a DRBCP how future development of the site, to the minimum applicable floor area development standards contained in Chapter 20 of the Beaverton Development Code and to the minimum applicable design standards contained in Section 60.05. or greater, can be achieved at ultimate build out of the DRBCP.

Threshold No. 8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

Under Threshold No. 8, where a project is not shown to meet all applicable Design Standards, the applicant may respond to the corresponding Design Guidelines. In this case, the project does not meet certain applicable Design Standards. The only standards not being met are 60.05.15.6.A.2, 60.05.15.6.C and the minimum floor area ratio in

20.25.15. The standards refer to building location and orientation along streets in Multiple Use and Commercial zoning districts and minimum floor area ratio (FAR).

Staff notes that the applicant was instructed to respond to the Guidelines during the pre-application conference. However the applicant has responded to the Standards in response to the Guidelines.

Therefore, this proposal is subject to Design Review Three processing.

FINDING: Therefore, staff finds that the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant paid the fee required for a Design Review Three application.

FINDING: Therefore, staff finds that the proposal meets the criterion for approval.

3. *For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).*

As previously stated, thresholds number five and eight apply to this proposal. Accordingly, Design Review Guidelines are applicable for consideration. As stated in response to Criterion No.6 (below) the applicant is addressing a combination of Design Guidelines and Standards.

FINDING: Therefore, staff finds that the criterion has been met.

4. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:*

a. *A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or*

b. *The location of existing structural improvements prevent the full implementation of the applicable guideline; or*

c. *The location of the existing structure to be modified is more than 300 feet from a public street.*

The proposal involves the addition of a new retail convenience store component to an existing fueling station. According to the applicant, the proposal meets all of the applicable Design Guidelines. Staff cites the Design Review Guidelines Analysis Chart

and the associated Design Guidelines findings.

FINDING: Therefore, staff finds that the proposal meets the criterion for approval.

- 5. *For DRBCP [Design Review Build-Out Concept Plan] proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The proposed FAR is approximately .16 which does not meet the minimum FAR standard of .45 found in table 20.25.20.A.1 based upon the lot dimension of the site identified herein. The applicant has submitted a DRBCP plan indicated on page A1.1 of the applicant's plans, that show how the site could meet the minimum FAR in the future without demolition of the existing building.

FINDING: Therefore, staff finds that the criterion has been met.

- 6. *For proposals meeting Design Review Three application threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with the applicable provisions of 60.05.15 through 60.05.30 (Design Standards), except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s).***

Design Review Three - Threshold #8 applies to this proposal. The applicant has exercised the option to have the project reviewed under a combination of Design Guidelines and Standards, pursuant to Section 40.20.05. Staff cites the Design Review Guidelines Analysis and Findings Chart, herein

FINDING: Therefore, staff finds that the criterion is not applicable.

- 7. *For proposals meeting Design Review Three application threshold numbers 7 or 8, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

The proposal is not subject to Criterion #7 as the applicant is addressing a combination of guidelines and standards.

FINDING: Therefore, staff finds that the criterion is not applicable to this proposal.

- 8. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted the required application materials for review of a Design Review 3 application. This review process is a required step to receive City approval for

the development's proposal. No additional land use applications have been submitted with this application and no additional applications are required, except that the issuance of administrative permits, Site Development and Building permits, are necessary prior to construction.

Therefore, staff finds that the proposal meets the criterion for approval.

SUMMARY OF FINDINGS: For the reasons identified herein, staff finds that the applicable approval criteria for Design Review 3 findings (Section 40.20.15.3.C of the Development Code) have been satisfied.

If the Planning Commission finds the project proposal to have met the criteria, staff recommends conditions necessary to meet the technical requirements identified in Section 40.03.1 of the Development Code. These conditions are identified herein under Attachment D.

Section 60.05 Design Review Standards Analysis

DR2013-0003 (Tajgerdu Station Store)

Zone: RC-TO (a multiple use zone).

Major Pedestrian Routes (MPR): SW Canyon Road – Class 2 MPR
SW Cedar Hills Boulevard - Class 2 MPR

Locations of MPRs are further illustrated in the Section 60.05.55.1 of the Development – Regional Center (Exhibit 3)

The section below reviews the building design, parking lot design, lighting, landscaping and other associated design elements to applicable Design Standards and Guidelines. The applicant's narrative response to Standards & Guidelines is found under the first tab of the combined materials package titled "Written Statement" (see pages 17 through 25).

Design Review Standards Analysis **Section 60.05.15 Building Design and Orientation**

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.B Min 30% articulation	Adequate articulation is provided on the east, south, and west elevations, which are visible from a public street. Each façade exceeds the 30% articulation requirement.	YES
60.05.15.1.C Max 40' between architectural features	Architectural features are not more than 40' apart.	YES
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	The proposed building has a flat roof. Therefore, this standard is not applicable.	N/A
60.05.15.2.B Min roof eave = 12"	The proposed building has a flat roof. Therefore, this standard is not applicable.	N/A
60.05.15.2.C Flat roofs need parapets	The proposed building has a flat roof. The parapet wall meets the minimum height of 12 inches.	YES
60.05.15.2.D New structures in existing development be similar	The existing building and fuel canopy will remain on site. Both the canopy and convenience store have flat roofs.	YES
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	There are no smaller features present	N/A
Primary Building Entrances		
60.05.15.3 Weather protection for primary entrance	The primary building entrance on the south elevation is covered by a canopy, which is 4-feet deep and a minimum of 6-feet wide.	YES
Exterior Building Materials		
60.05.15.4.A Residential construction	The proposed construction is to a commercial building, not a residential	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	building	
60.05.15.4.B Maximum 30% of primary elevation to be made of unfinished concrete block	No smooth, plain, unfinished concrete block, plywood, or sheet pressboard is included in the project.	YES
60.05.15.4.C Non-residential foundations	Concrete will be used as a foundation wall with a maximum height of 3 feet.	YES
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	All roof-mounted equipment will be screened from adjacent public streets and properties by a parapet wall.	YES
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.B 35% street frontage	The parcel does not exceed 60,000 gross square feet. Therefore, the standard is not applicable.	N/A
60.05.15.6.C 20' max setback and landscaping	A portion of the site will be redeveloped. The proposal retains the existing fuel canopy, which is located on the eastern portion of the site. The existing building is currently more than the maximum 20-foot front setback. The applicant states that it is not feasible to build an addition that meets this standard. The DRBCP shows how future development could bring this site into compliance.	YES with DRBCP Approval
60.05.15.6.D Building Orientation on the Corner of Two MPRs	The existing building is currently setback from the corner of the two MPR's. The applicant states that it is not feasible to build an addition that meets this standard. The DRBCP shows how future development could bring this site into compliance.	YES with DRBCP Approval
60.05.15.6.E Pedestrian Entrance or Connection Along MPR	The proposed addition does not abut the MPR's. The existing building has a connection to the SW Cedar Hills Boulevard MRR.	YES
60.05.15.6.F Secondary Entrances	Primary entrances face the parking lot and are not subject to Section 60.05.15.6.E	N/A
Building Scale along Major Pedestrian Routes		
60.05.15.7.A Min building height 22' along MPR	The existing building is currently only 17-feet in height. The applicant states that it is not feasible to build an addition that meets this standard. The proposed addition is shown at the northeast corner of the site, away from the MRR's. The DRBCP shows how future development could bring this site into compliance. The proposed addition meets guideline 60.05.35.7.B	YES with DRBCP Approval
60.05.15.7.B Detached residential dwellings are exempt	The proposal does not include any detached residential dwellings.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A 35% of ground floor elevation to be glazing	The applicant states that the percentage of glazing on the south and west elevations exceed 35%.	YES
60.05.15.8.B 35% of ground floor elevation to provide weather protection	The existing building abuts SW Cedar Hills Boulevard and is not being significantly altered. The applicant states that it is not feasible to build an addition that meets this standard. The proposed addition is shown at the northeast corner of the site, away from the MRR's.	YES

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The proposed development will utilize existing connections to SW Cedar Hills Boulevard and SW Canyon Road, in compliance with the standards of the City of Beaverton's Comprehensive Plan Transportation Element.	YES
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A Screen waste facilities from public view	The proposed trash enclosure is located along the western portion of the site and will be screened by a masonry and steel enclosure.	YES
60.05.20.2.B Screen loading docks from public view	No loading docks are proposed or required.	N/A
60.05.20.2.C Screen outdoor storage from public view	The proposed trash enclosure will be constructed of materials that match the proposed convenience store building.	YES
60.05.20.2.D Screening with chain-link is prohibited	No chain link is proposed for screening purposes.	N/A
60.05.20.2.E Waiver of loading dock screening	No loading docks are proposed or required.	N/A
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	Pedestrian circulation is provided to the existing sidewalk system along SW Cedar Hills Boulevard and SW Canyon Road.	YES
60.05.20.3.B Direct walkway connection	Pedestrian circulation is provided to the existing sidewalk system along SW Cedar Hills Boulevard and SW Canyon Road.	YES
60.05.20.3.C Walkways every 300'	Pedestrian circulation is provided to the existing sidewalk system along SW Cedar Hills Boulevard and SW Canyon Road. No	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	further connections are required.	
60.05.20.3.D Physical separation	Raised curb and differentiated material separates pedestrian walkway from parking lot.	YES
60.05.20.3.E Distinct paving	Two pedestrian walkways are provided, connecting the building to the existing sidewalk system. Walkways are a minimum of 5' wide and will be differentiated by distinct paving materials.	YES
60.05.20.3.F 5' minimum width	No pedestrian connection is less than 5' in width and is separated from the parking lot area by concrete curbs.	YES
60.05.20.3.G Scored concrete or modular paving materials	Pedestrian walkways will be made of scored concrete.	YES
60.05.20.3.H ADA Compliance	Proposed walkways are a minimum of 5' wide and shall be reviewed for ADA compliance at the time of building permit.	YES
Street Frontages and Parking Areas		
60.05.20.4. A. Required perimeter landscaping and screening for parking lots	Parking areas abut the building rather than a public street. New and Existing landscape area along the street frontages will remain and exceed the 6' requirement.	YES
Parking and Landscaping		
60.05.20.5.A.2 Parking area landscaping	The proposal does not include 10 contiguous parking spaces. Therefore, parking area landscape planters are not required.	N/A
60.05.20.5.B Planter island standards	The proposal does not require landscape planters. Therefore, is not applicable.	N/A
60.05.20.5.C Raised sidewalk standards	Raised sidewalks connect parking areas on the east and west sides of the building to the primary entrance.	YES
60.05.20.5.D Tree Species	The proposal does not require landscape planters. Therefore, is not applicable.	N/A
Off-Street Parking Frontages in Multiple-Use Districts		
60.05.20.6 Off-street parking frontages	The current and proposed parking is not located near the corner of the two MPR's.	YES
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
60.05.20.7.A Required sidewalk widths	Sidewalks proposed to replace the driveways being removed will be increased to a width of 7-feet along the SW Canyon Road frontage from the existing width of 5-feet and the sidewalk along SW Cedar Hills Boulevard will be reconstructed to the required 10-feet in width.	YES with DR Approval

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.20.7.B Sidewalk along building entrances	There are no primary building entrances facing the MRP's. This standard applies to interior sidewalks for multiple tenant buildings.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A and B Drive aisles to be designed as public streets, if applicable	Parking lot drive isles are not proposed to be modified.	N/A
Ground Floor uses in parking structures		
60.05.20.9	No parking structures are proposed.	N/A

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping Requirements		
60.05.25.1-4 Residential Open Space	The proposal is not a residential development.	N/A
60.05.25.5.A.2 Minimum Landscape Area (10%)	13.2% of the site is proposed to be landscaped, which exceeds the minimum of 150%.	YES
60.05.25.5.B.1-3 Minimum Landscape Area Plantings	A total of 2.75 trees and 56 shrubs are required for the area associated with this project. 5 trees and 56 shrubs are proposed.	YES
60.05.25.5.C.1 Plaza Requirements	Plazas are not required or proposed as part of this development.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	No retaining walls are proposed.	N/A
Fences and Walls		
60.05.25.9 Fences and Walls	No fences are proposed.	YES
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	The site does not abut a residentially zoned property.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	The proposal will utilize existing stormwater detention facilities and add a catch basin storm filter.	YES
Natural Areas		
60.05.25.12 No encroachment into	There are no natural areas associated with the site or adjacent to the development.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
buffer areas.		
Landscape Buffering Requirements		
60.05.25.13 Landscape buffering between contrasting zoning districts	There are no contrasting zoning districts adjacent to this site.	N/A

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A Technical Lighting Standards	All new lighting will comply with the Technical Lighting Standards.	YES
60.05.30.1.B Vehicular Circulation Areas	Lighting is proposed only in the pedestrian circulation areas.	YES
60.05.30.1.C Pedestrian Lighting	No pedestrian plaza is proposed.	N/A
60.05.30.1.D Building Entrance Lighting	Building entrances will be lighted.	YES
60.05.30.1.E Canopy lighting recessed	All canopy lighting is not proposed to be modified.	N/A
Pedestrian-scale on-site lighting		
60.05.30.2.A Pole Mounted Luminaires	Pole mounted luminaires are not proposed.	N/A
60.05.30.2.B Non-Pole Mounted Luminaires	Non-pole mounted luminaires shall comply with the Technical Lighting Standards.	YES
60.05.30.2.C Lighted Bollards	Lighted bollards are not proposed.	N/A

Evaluation of Design Guidelines identified above

In considering findings for a guideline, the decision making authority is instructed to make findings on how the guidelines are met or if they apply to the proposal (40.20.05 – Purpose). Section 40.20.05 of the Code also describes the intent of the guideline, where it states that guidelines “...are intended to allow more flexibility and originality.” Section 40.20.05 further states that “*Design Guidelines are also intended to recognize unique circumstances where corresponding standards are found to be unnecessary or undesirable. Where Design Guidelines apply, the project proponent will simply be required to demonstrate how the project meets these Guidelines at a public hearing.*”

Hereto, staff finds that the applicant has provided sufficient evidence to show how the plan proposal meets applicable Design Standards and Guidelines (identified in the table

summary above). In accordance with the direction provided under 40.20.05, the applicant has the opportunity at the public hearing to demonstrate how the project meets these Guidelines.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL of DR2013-0003 - Tajgerdu Station Store, Subject to the conditions below:**

CONDITIONS OF APPROVAL DR2013-0003

If the City Planning Commission approves the proposed Tajgerdu Station store, staff recommends the following conditions in response to the Facilities Review approval criteria.

Prior to any work beginning on site and issuance of the site development permit, the applicant shall:

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements (driveway apron, curb & gutter, sidewalk), site grading, storm water management (quality) facilities, emergency access paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)

5. Submit to the City a copy of issued permits or other approvals needed from the Oregon Department of Transportation (ODOT) for work within, access, drainage, and/or construction access to Canyon Road. (Site Development Div./JJD)
6. Submit a geotechnical and geo-environmental report with the site development permit application for review and approval by the City Engineer. The report shall include an assessment of the soil and any toxic contaminants, ground/surface water issues, any needed clean-up action, remediation methods, Oregon Department of Environmental Quality requirements, disposal regulations, and worker safety measures. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer and rules of the Oregon Department of Environmental Quality (DEQ). (Site Development Div./JJD)
7. Submit a letter of “no further action” (NFA) or other documentation specifically allowing the proposed construction activities and site plan approval from the Oregon DEQ (Case File #**34-87-0008**). (Site Development Div./JJD)
8. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal’s approval of the site development plans as part of the City’s plan review process. (Site Development Div./JJD)
9. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City’s plan review process. (Site Development Div./JJD)
10. Provide a detailed drainage analysis of the subject site and all tributary areas and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. (Site Development Div./JJD)
11. Provide final construction plans and a final drainage report demonstrating compliance with CWS Resolution and Order 2007-020 in regard to redevelopment water quality treatment (see Table 4-1), through installation of Contech Inc., Storm filter catch basin systems. Treatment shall be provided at a minimum equivalent of 3.0 cartridges per tributary impervious acre as generally outlined in the preliminary drainage report dated April 7, 2013. (Site Development Div./JJD)
12. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD)
13. Submit to the City a certified impervious surface determination of the proposed project by the applicant’s engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total on the site. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area. (Site Development Div./JJD)

14. Pay a storm water system development charges (overall system conveyance and quantity) for any net new impervious area proposed. (Site Development Div./JJD)

15. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No utility service lines to the building, lot lighting, and structures shall remain overhead on site; all utilities must be provided underground. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)

Prior to building permit issuance, the applicant shall:

16. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
17. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

Prior to final inspection of any building permit or occupancy permit issuance, the applicant shall:

18. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
19. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
20. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD)
21. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
22. Have obtained a Source Control Permit (AKA Industrial Sewage Permit) from the Clean Water Services District and submitted a copy to the City Building Official if such a permit is required, as determined by CWS. (Site Development Div./JJD)

Prior to release of performance security, the applicant shall:

23. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
24. Submit any required on-site easements, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
25. Provide evidence of a post-construction cleaning, system maintenance, and Storm Filter recharge/replacement per manufacturer's recommendations and a pre-paid service contract for a two year period from the date of performance acceptance for the site's proprietary storm water treatment systems by a CONTECH qualified maintenance provider as determined by the City Engineer. (Site Development Div./JJD)